IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

OP.No. 19722 of 1999(W)

PETITIONER:

BABU T. JOSEPH,
KOTTARAM, JETTY ROAD,
ALAPPUZHA.

BY ADV. SRI.M.V.MATHEW

RESPONDENTS:
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1. E.S.I. CORPORATION,
REGIONAL OFFICE (KERALA)
PANCHADEEP BHAVAN,
NORTH SWARAJ ROAD, THRISSUR,
REP. BY ITS REGIONAL DIRECTOR.

2. EMPLOYEES INSURANCE COURT,
ALAPPUZHA.

R1 BY ADV. SRI.P.SANKARANKUTTY NAIR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.32447/1999 IN O.P. NO.19722/1999

DISMISSED:

14.3.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF JUDGMENT IN I.C. 124/95 PASSED BY R2 DT.8.6.98.

P2: TRUE COPY OF ORDER OF R2 IN M.P. NO.106/98 IN I.C. 124/95 DT.3.5.97.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.19722 of 1999

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Dated this the 14th day of March, 2007.

JUDGMENT

The petitioner is challenging Ext.P2 order whereunder the ESI Court issued an interim order holding that without taking evidence the controversy between the parties cannot be settled. On going through Ext.P2 I find the order is absolutely reasonable and tenable as the factual dispute could be settled only by reference to evidence. The O.P. is therefore devoid of any merit and is dismissed.

C.N.RAMACHANDRAN NAIR
Judge

pms